



Attorney's Docket No. 003364.P001

203

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 02 2001

TECH CENTER 1600/2900

In re Application of:

Sun-Young Kim, ET AL.

Serial No. 09/029,042

Filed: 5/15/98

For: *Heterologous Protein Production System
Using Avian Cells*

Examiner: Fitzgerald, D.

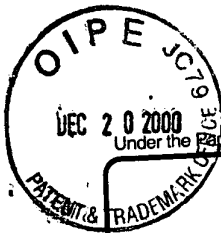
Art Unit 1646

AMENDMENT AND RESPONSE OFFICE ACTION

Box Amendments - No Fee
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With a Petition to Revive, Applicants submitted an Amendment and Response (mailed August 4, 2000). Applicants believe that the Amendment and Response complied with the Sequence Rules, particularly items 1-3 noted by the Patent Office. Given the Petition was granted on August 30, 2000 and the Patent Office mailed the Office Action mailed November 15, 2000, Applicants assume that the Patent Office received the August 4, 2000 Amendment and Response, but evidently it was misplaced. Therefore, Applicants submit a similar amendment and response to the November 15, 2000 Office Action. If Applicants' assumption is incorrect, Applicants urge the Patent Office to contact Applicants' representative and clarify the compliance issues. In response to the Office Action mailed November 15, 2000, Applicants respectfully requests entry of the following amendment:



CP 1646

Box 11
509.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/029,042	
	Filing Date	May 15, 1998	
	First Named Inventor	Sun-Young Kim	
	Group Art Unit	1646	
	Examiner Name	Andres, J.	
Total Number of Pages in This Submission	18	Attorney Docket Number	03364P001

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div>Copy of Amendment and Response to Office Action mailed 8/4/00; Paper copy of Sequence Listing; CD-ROM copy of Sequence Listing.</div>
Remarks		

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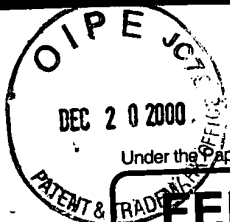
JAN 02 2001

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	William Thomas Babbitt, Reg. No. 39,591 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
Signature	<i>William T. Babbitt</i>
Date	12/15/00

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: December 15, 2000			
Typed or printed name	Lillian Rodriguez	Date	12/15/00
Signature	<i>Lillian Rodriguez</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number 09/029,042
Filing Date 05/15/98
First Named Inventor Sun-Young Kim, et al.
Examiner Name Andres, J.
Group Art Unit 1646
Attorney Docket Number 03364P001

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JAN 02 2001

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

- ☒ Charge Any Additional Fee Required Under 37CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:
☐ Check ☐ Money Order ☐ Other

FEE CALCULATION (fees effective 10/01/96)

1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	
106	310	206	155	Design filing fee	
107	480	207	240	Plant filing fee	
108	760	208	380	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
	** =	18.00	\$0.00
Independent Claims	** =	80.00	\$0.00
Multiple Dependent Claims			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	270	204	135	Multiple Dependent claim
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

*or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1,840	113	1,840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	380	216	190	Extension for response within second month	
117	870	217	435	Extension for response within third month	
118	1,360	218	680	Extension for response within fourth month	
128	1,850	228	925	Extension for response within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,360	138	1,360	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidably	
141	1,210	241	605	Petition to revive - unintentionally	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))	
149	760	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

SUBMITTED BY

Typed or Printed Name

William Thomas Babbitt, Reg. No. 39,591

Signature

William T. Babbitt

Date

12/15/00

Reg. Number

Deposit Account User ID

02-2666

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